

CORRECTED COPY

Bill No. 25-06
Concerning: Procurement - Exemptions
Revised: January 12, 2007 Draft No. 4
Introduced: May 25, 2006
Enacted: July 25, 2006
Executive: August 3, 2006
Effective: November 2, 2006
Sunset Date: None
Ch. 25, Laws of Mont. Co. 2006

**COUNTY COUNCIL
FOR MONTGOMERY COUNTY, MARYLAND**

By: Council President at the Request of the County Executive

AN ACT to:

- (1) exempt the purchase of goods or services for certain County-sponsored recreational activities from the County procurement law;
- (2) exempt the purchase of entertainment services, including [[musical performers]] but not limited to contracts for musical performers, from the County procurement law;
- (3) provide a reporting requirement; and
- (4) generally amend the County procurement law.

By amending

Montgomery County Code
Chapter 11B, Contracts and Procurement
Section 11B-4

Boldface	<i>Heading or defined term.</i>
<u>Underlining</u>	<i>Added to existing law by original bill.</i>
[Single boldface brackets]	<i>Deleted from existing law by original bill.</i>
<u>Double underlining</u>	<i>Added by amendment.</i>
[[Double boldface brackets]]	<i>Deleted from existing law or the bill by amendment.</i>
* * *	<i>Existing law unaffected by bill.</i>

The County Council for Montgomery County, Maryland approves the following Act:

Sec. 1. Section 11B-4 is amended as follows:

11B-4. Exemptions.

(a) This Chapter, other than Article XII, does not apply to:

[(a)] (1) a procurement made for the employees' retirement system under procedures approved by the Chief Administrative Officer;

[(b)] (2) obtaining the services of special legal counsel under Sections 213, 108, or 410 of the Charter;

[(c)] (3) the procurement of an independent auditor by the County Council under Section 315 of the Charter;

[(d)] (4) obtaining the services of an impasse neutral, mediator, or fact finder under a County collective bargaining law under procedures approved by the Chief Administrative Officer;

[(e)] (5) obtaining copyrighted material and information which is intended for use by the public in or through a public library under procedures approved by the Chief Administrative Officer; [and]

[(f)] (6) obtaining [[energy commodities, such as]] electricity, natural gas, and compressed natural gas, under [[procedures approved by]] executive regulations [developed by the Chief Administrative Officer and approved by the County Council]; [and]


[(g)] (7) [[purchase of]] purchasing goods or services for a County-sponsored recreational activity if the purchase is made on behalf of an identifiable group of persons who contribute funds to participate in the activity;

[(h)] (8) obtaining entertainment services, [(including but not limited to contracts for musical [performance) services]] performers; and

[(i)] (9) any other procurement exempted from this Chapter by another law.

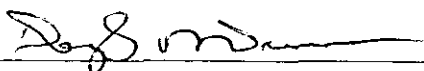
(b) By September 30 of each year, each using department must submit to the Executive or a designee a report on contracts issued under subsections (a)(7) and (a)(8) for the preceding fiscal year. By November 30 of each year, the Executive or a designee must provide a report to the Council on the number, type, dollar amount, and the reason for contracts awarded under subsections (a)(7) and (a)(8) for the preceding fiscal year.

Approved:


George L. Leventhal, President, County Council

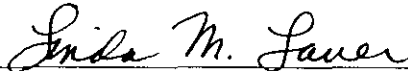
7/27/06
Date

Approved:


Douglas M. Duncan, County Executive

8/3/06
Date

This is a correct copy of Council action.


Linda M. Lauer, Clerk of the Council

8/7/06
Date

CLERK'S NOTE: To correct line 16 by adding double brackets.